

REMARKS

Claims 1 through 54, 106, 107 and 108 remain in this application for active consideration. Non-elected claims 55 through 105 have been cancelled above without prejudice to applicants' right to reassert such claims in one or more appropriately filed divisional applications.

In the outstanding action, claims 1, 4 and 6 through 27 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over DE 38 11 477 in view of Sommers et al. (US 4,457,704) and claims 2, 3, 5 and 28 through 54 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over DE 38 11 477 in view of Sommers et al. and further in view of Seitz (US 2,618,325) and Zink (US 3,850,571). Applicants hereby respectfully traverse the stated rejections and submit that in view of the following remarks and the appended terminal disclaimer, it is clear that claims 1 through 54 are free of the art and that the application is otherwise in condition for allowance.

Regarding the rejection of claims 1, 4 and 6 through 27, the examiner agrees that the concept of creating an ultra-lean fuel mixture is not shown in DE 38 11 477. However, to remedy this shortcoming of the teachings of DE 38 11 477, the examiner argues, with reference to col. 3, ll. 31-46 of the Sommers et al. patent, that this reference discloses the concept of employing a fuel mixture containing excess air to desirably reduce the NO_x content of the combustion gases. With only this for support, the examiner concludes that the concept of creating an "ultra fuel lean mixed stream of air and fuel," as recited in claim 1, would have been obvious to one of ordinary skill in the art. But it is applicants' view that Sommers et al., while perhaps disclosing a fuel lean fuel mixture, **does not disclose an "ultra fuel lean mixed stream of air and fuel"** as recited fully in claim 1. It is pointed out in this regard that not only is the

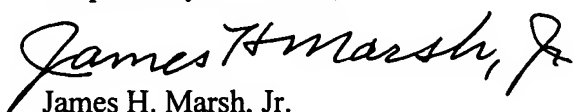
ultra fuel lean mixed stream of air and fuel," language recited clearly in claim 1, the specification of the present application fully discloses the meaning of terminology "ultra fuel lean." (See, for example, the paragraph beginning at line 7 on page 21 of the specification). Accordingly, claim 1, as well as all claims dependent therefrom, should be patentable over DE 38 11 477 and Sommers et al., whether these references are considered alone or together.

Applicants have not specifically discussed the rejections based on the Seitz and Zink references since this rejection applies to dependent claims which necessarily are patentable if claim 1 is patentable.

New claims 106, 107 and 108 have been added at this point to provide applicants with the full breadth of coverage contemplated by 35 U.S.C. § 112 and 37 C.F.R. § 1.75. As amended above the application includes less independent claims and less claims total than when it was originally filed. Accordingly, it is believed that no additional filing fee is required by the foregoing amendments.

In view of the foregoing remarks it is submitted that claims 1 through 54, 106, 107 and 108 are patentable over the cited references and in condition for allowance. Accordingly, favorable action at an early date will be appreciated. If the examiner is of the view that any issue remains unresolved, it is respectfully suggested that applicants' undersigned attorney may be contacted at the telephone number set forth below.

Respectfully submitted,



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